

REMARKS

With the entry of the foregoing amendments, claims 1-10 are pending in the application. Favorable reconsideration is requested.

At the outset, the applicant notes with appreciation the indication of allowable subject matter in claims 3-5 and 9-10.

In response to the objections and rejections, applicant has amended the claims in line with the helpful comments and suggestions of the Examiner, and as further explained below. Applicant thanks the Examiner for the comments and suggestions. Claim 1 has been amended to include subject matter from allowable claim 3 and as supported by the specification, e.g., the bottom of page 3. Claims 6-8 and 10 have been amended in line with the helpful comments of the Examiner during a telephone discussion and in line with the Examiner's helpful claim amendment suggestions on page 4 of the Office action. The other claims have been amended to place them in more conventional U.S. patent claim format. No new matter has been added.

The amended claims do not require further search because they simply incorporate subject matter from allowable claim 3, the Examiner's claim amendment suggestions, and minor formalistic changes in line with U.S. patent practice.

In paragraph no. 3 on page 2 of the Detailed Action, claims 6-8 and 10 stand objected to as allegedly being of improper dependent form. The Examiner contends that claims 6-8 and claim 10 recite an "intended use" and do not further limit the subject matter of claim 1 or claim 9 by reciting an additional structural limitation. Applicant respectfully disagrees, but, nevertheless, has amended the claims without prejudice in line with the Examiner's telephone

suggestions and the Examiner's suggestions on page 4 of the Office Action. Applicant submits that the amendments render the objections moot.

In paragraph no. 4 on pages 2-3 of the Office Action, claims 1 and 6-8 stand rejected as allegedly being anticipated by Pelrine (U.S. Patent 6,361,268). Although applicant disagrees with the rejection for the detailed reasons previously stated, applicant requests the withdrawal of this rejection in view of the amended claims, e.g., claim 1 now includes a feature from allowable claim 3 (at least one non-contact position sensor) and claim 1 also requires that "the inertial sensor senses inertial forces." These features are not disclosed or suggested in Pelrine, nor is the particularly claimed combination of features disclosed or suggested in Pelrine.

In paragraph no. 5 on page 3 of the Office Action, claim 2 stands rejected as allegedly being obvious over Pelrine. Applicant requests the withdrawal of this rejection for the same reasons as noted above.

In view of the foregoing amendments and remarks, applicant submits that this application is in condition for allowance. A notice to that effect is earnestly solicited.

If the Examiner has any questions concerning this case, the undersigned may be contacted at 703-816-4009.

Respectfully submitted,

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